

Amendments in the Claims: (struck-through parts deleted and underlined parts added)

1. (currently amended) A mounting tool for removably attaching to an upper edge of a stud of a deck for pressing together a loose horizontal board against a secured horizontal board positioned on the stud, said tool including:

a bracket assembly having a channel therein for removably receiving the upper edge of the stud such that said bracket assembly extends downward on opposite sides of the stud, said bracket assembly having a forward side and a rearward side, said bracket assembly including:

a first plate and a second plate;

a biasing member being attached to said first and second plates for biasing said first plate toward said second plate, said biasing member including a threaded rod having a first end rotatably attached to said second plate and a second end extending through said first plate, said threaded rod being threadably coupled to said first plate;

a guide rod having an attached end being attached to said second plate and a free end extending through said first plate such that said second plate is selectively positionable along a length of said guide rod, said guide rod and said biasing member being positioned in a substantially horizontal plane, wherein each of said first and second plates forms said channel and may be abutted against one of the sides of the stud, said guide rod and biasing member being positionable against the upper edge of the stud;

a pivot rod being rotatably coupled to and extending away from said bracket assembly, said pivot rod being orientated perpendicular to said channel;

a lever assembly being pivotally attached to said pivot rod, said lever assembly being selectively rotated in a first direction forward of said bracket assembly or in a second direction rearward of said bracket assembly;

a locking assembly being attached to said lever assembly and said bracket assembly for selectively preventing rotation of said lever assembly in said second direction; and

wherein said lever assembly may be rotated in said first direction such that said lever assembly abuts the loose horizontal board and urges the loose horizontal board away from the bracket assembly.

5 Claim 2 (cancelled)

3. (currently amended) The tool of claim ~~2~~ 1, further including a plurality of gripping members being attached to said first and second plate, each of said gripping members extending inward of said channel.

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4. (currently amended) The tool of claim ~~2~~ 1, wherein said pivot rod extends through said first and second plates.

5. (original) The tool of claim 4, wherein said pivot rod lies in said horizontal plane.

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6. (original) The tool of claim 1, wherein said lever assembly includes a foot portion having a top surface, a bottom surface, a rear surface and front surface, said front surface being arcuate from said top surface to said bottom surface and defining an arcuate edge defined by an arc having an axis aligned with said top surface, said pivot rod extending through and being pivotally coupled to said foot portion, said pivot rod being positioned generally between said axis and said bottom surface, said pivot rod being orientated parallel to said axis, wherein a juncture of said top surface and said front surface extends forward when said foot portion is rotated in said first direction.

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7. (original) The tool of claim 6, further including a gripping member being attached to an extending upwardly from said top surface.

Claims 8 and 9 (cancelled)

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10. (original) The tool of claim 1, wherein said locking assembly includes a horizontally orientated panel being attached to said bracket assembly, a plurality of teeth being positioned on said panel and extending upwardly away therefrom, said teeth being angled forward with respect to said bracket assembly, a pawl being pivotally coupled to
5 said lever assembly, said pawl having a bottom end being selectively engaged with one of said teeth.

Claim 11 (cancelled)

10 12. (original) The tool of claim 6, wherein said locking assembly includes a horizontally orientated panel being attached to said bracket assembly, a plurality of teeth being positioned on said panel and extending upwardly away therefrom, said teeth being angled forward with respect to said bracket assembly, a pawl being pivotally coupled to
15 said lever assembly, said pawl having a bottom end being selectively engaged with one of said teeth.

Claim 13 (cancelled)

14. (original) A mounting tool for removably attaching to an upper edge of a
20 stud of a deck for pressing together a loose horizontal board against a secured horizontal board positioned on the stud, said tool including:
a bracket assembly having a channel therein for removably receiving the upper
edge of the stud such that said bracket assembly extends downward on
opposite sides of the stud, said bracket assembly having a forward side
25 and a rearward side, said bracket assembly including:
a first plate and a second plate;
a biasing member being attached to said first and second plates for biasing
said first plate toward said second plate, said biasing member
including a threaded rod having a first end rotatably attached to
30 said second plate and a second end extending through said first

plate, said threaded rod being threadably coupled to said first plate,
a grip being attached to said first end;

5 a guide rod having an attached end being attached to said second plate and
a free end extending through said first plate such that said second
plate is selectively positionable along a length of said guide rod,
said guide rod and said biasing member being positioned in a
substantially horizontal plane, wherein each of said first and
second plates forms said channel and may be abutted against one
10 of the sides of the stud, and wherein said guide rod and biasing
member may be positioned against the upper edge of the stud;
a plurality of gripping members being attached to said first and second
plate, each of said gripping members extending inward of said
channel;

15 a pivot rod being rotatably coupled to and extending away from said bracket
assembly, said pivot rod being orientated perpendicular to said channel,
said pivot rod extending through said first and second plates, said pivot
rod lying in said horizontal plane, said pivot rod having a first end and a
second end, said first end being positioned adjacent to said first plate, said
second end being biased away from said second plate;

20 a lever assembly being pivotally attached to said pivot rod, said lever assembly
being selectively rotated in a first direction forward of said bracket
assembly or in a second direction rearward of said bracket assembly, said
lever assembly including;

25 a foot portion having a top surface, a bottom surface, a rear surface and
front surface, said front surface being arcuate from said top surface
to said bottom surface and defining an arcuate edge defined by an
arc having an axis aligned with said top surface, said pivot rod
extending through and being pivotally coupled to said foot portion,
said pivot rod being positioned generally between said axis and
30 said bottom surface, said pivot rod being orientated parallel to said
axis, wherein a juncture of said top surface and said front surface

extends forward when said foot portion is rotated in said first direction;

a gripping member being attached to an extending upwardly from said top surface;

5 a locking assembly being attached to said lever assembly and said bracket assembly for selectively preventing rotation of said lever assembly in said second direction, said locking assembly including;

a horizontally orientated panel being attached to said bracket assembly, a plurality of teeth being positioned on said panel and extending
10 upwardly away therefrom, said teeth being angled forward with respect to said bracket assembly;

a pawl being pivotally coupled to said lever assembly, said pawl having a bottom end being selectively engaged with one of said teeth; and wherein said lever assembly may be rotated in said first direction
15 such that said lever assembly abuts the loose horizontal board and urges the loose horizontal board away from the bracket assembly.

15. (new) A mounting tool for removably attaching to an upper edge of a stud of a deck for pressing together a loose horizontal board against a secured horizontal board
20 positioned on the stud, said tool including:

a bracket assembly having a channel therein for removably receiving the upper edge of the stud such that said bracket assembly extends downward on opposite sides of the stud, said bracket assembly having a forward side and a rearward side;

25 a pivot rod being rotatably coupled to and extending away from said bracket assembly, said pivot rod being orientated perpendicular to said channel;

a lever assembly being pivotally attached to said pivot rod, said lever assembly being selectively rotated in a first direction forward of said bracket assembly or in a second direction rearward of said bracket assembly, said
30 lever assembly including a foot portion having a top surface, a bottom surface, a rear surface and front surface, said front surface being arcuate

from said top surface to said bottom surface and defining an arcuate edge defined by an arc having an axis aligned with said top surface, said pivot rod extending through and being pivotally coupled to said foot portion, said pivot rod being positioned generally between said axis and said
5 bottom surface, said pivot rod being orientated parallel to said axis, wherein a juncture of said top surface and said front surface extends forward when said foot portion is rotated in said first direction;
a locking assembly being attached to said lever assembly and said bracket
assembly for selectively preventing rotation of said lever assembly in said
10 second direction; and
wherein said lever assembly may be rotated in said first direction such that said lever assembly abuts the loose horizontal board and urges the loose horizontal board away from the bracket assembly.